IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

| VALERO MARKETING AND SUPPLY | § | |
|-----------------------------|---|----------------------------|
| COMPANY, | § | |
| | § | |
| Plaintiff, | § | |
| | § | |
| v. | § | CIVIL ACTION NO. H-09-3219 |
| | § | |
| GENERAL ENERGY CORPORATION, | § | |
| et al., | § | |
| | § | |
| Defendants. | § | |

ORDER OF DISMISSAL

Consistent with this court's Memorandum and Opinion issued today, this case is dismissed without prejudice.

SIGNED on March 9, 2010, at Houston, Texas.

Lee H. Rosenthal

United States District Judge